

Remote Service Marketplace Platforms Act

(Business & Labor Interim Committee Bill File 2021FL-0590)

Enabling the New Economy to Grow Unimpeded in Utah

This bill would protect the independent contractor status of remote-service contractors who are connected with their customers through digital applications and who provide services to their customers remotely, unless the worker holds a contract with the Marketplace company establishing employer/employee status.

Benefits of Independent Contractor Status

This legislation seeks to create a safe harbor in Utah law that protects the freedom of remote-service contractors in the New Economy who wish to preserve the lifestyle and flexibility of controlling their own work schedules, working remotely from their desired locations and deciding which tasks they choose to perform and which customers they choose to serve.

Types of Service Providers Given Safe Harbor Protection

Remote-service contractors who are deemed to be independent contractors include but are not limited to: online tutors, instructors, translators, video captioners, transcription service providers, captioning service providers, subtitling service providers, proctors for exams and certifications, online language assessors, and online professional development instructors for language professionals.

Does Not Exempt Taxes & Unemployment Insurance in Traditional Employer-Employee Relationships

This legislation does not seek to enable employers of hourly or salaried employees to escape their legal obligations for payment of federal and state employee taxes or unemployment insurance. The bill does not prohibit Marketplace companies that partner with remote-service contractors from hiring hourly or salaried workers in a traditional employer/employee arrangement.

Ensures Utah's Economic Advantages

Utah has earned its #1 Economic Outlook status by leading the nation in tax and regulatory laws that make her the best state to do business. This measure will ensure that Utah is a leader in welcoming New Economy businesses and that remote-service contractors are provided protection of their freedoms and flexibility.

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